

SENATE BILL 338

R5

(5lr1360)

ENROLLED BILL

— Judicial Proceedings/Environment and Transportation —

Introduced by ~~Senators West, Hettleman, Salling, Sydnor, and Brooks~~ Baltimore County Senators

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Speed Monitoring Systems – Interstate 695 and Interstate 83**

3 FOR the purpose of authorizing the State Highway Administration to place and use a
4 certain number of speed monitoring systems on Interstate 695 *in Baltimore County*
5 and Interstate 83 in Baltimore County subject to certain requirements; requiring
6 that fines collected ~~in Baltimore County~~ as a result of violations enforced by speed
7 monitoring systems on Interstate 695 *in Baltimore County* and Interstate 83 *in*
8 *Baltimore County* be used to recover costs and assist in covering the cost of roadway
9 and safety improvements on Interstate 695 *in Baltimore County* and Interstate 83
10 in Baltimore County; ~~requiring the Department of State Police to mail a warning~~
11 ~~notice instead of a citation for a violation recorded by a speed monitoring system on~~
12 ~~Interstate 695 or Interstate 83 in Baltimore County during a certain time period;~~
13 and generally relating to speed monitoring systems *on Interstate 695 in Baltimore*
14 *County and Interstate 83 in Baltimore County.*

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 7–302(e)(3) ~~and 10–311(b)~~
 Annotated Code of Maryland
 (2020 Replacement Volume and 2024 Supplement)

~~BY adding to~~
~~Article – Transportation~~
~~Section 21–811~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2024 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(c)(2)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)
(As enacted by Chapter or (S.B. 118 or H.B. 182) of the Acts of the General
Assembly of 2025)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

7–302.

(e) (3) (I) [Civil] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF
 THIS PARAGRAPH, CIVIL penalties resulting from citations issued using a vehicle height
 monitoring system, traffic control signal monitoring system, speed monitoring system,
 work zone speed control system, stop sign monitoring system, school bus monitoring
 camera, bus lane monitoring system, or a noise abatement monitoring system that are
 collected by the District Court shall be collected in accordance with subsection (a) of this
 section and distributed in accordance with § 12–118 of the Transportation Article.

(II) 1. ~~THE SUBJECT TO SUBSUBPARAGRAPH 3 OF THIS~~
~~SUBPARAGRAPH, THE FINES COLLECTED~~ THE FINES COLLECTED BY THE DISTRICT
COURT BY THE DISTRICT COURT AS A RESULT OF VIOLATIONS ENFORCED BY SPEED
 MONITORING SYSTEMS ON INTERSTATE 695 IN BALTIMORE COUNTY AND

INTERSTATE 83 IN BALTIMORE COUNTY SHALL BE REMITTED TO THE
COMPTROLLER FOR DISTRIBUTION TO THE STATE HIGHWAY ADMINISTRATION TO
BE USED SOLELY TO ASSIST:

A. RECOVER THE COST OF IMPLEMENTING AND
ADMINISTERING THE SPEED MONITORING SYSTEMS ON INTERSTATE 695 IN
BALTIMORE COUNTY AND INTERSTATE 83 IN BALTIMORE COUNTY; AND

B. ASSIST IN COVERING THE COST OF ROADWAY AND
SAFETY IMPROVEMENTS ON INTERSTATE 695 IN BALTIMORE COUNTY AND
INTERSTATE 83 IN BALTIMORE COUNTY.

2. FINES ~~REMITTED~~ DISTRIBUTED TO THE STATE
HIGHWAY ADMINISTRATION UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH
ARE SUPPLEMENTAL TO AND ARE NOT INTENDED TO TAKE THE PLACE OF FUNDING
THAT WOULD OTHERWISE BE APPROPRIATED FOR USES DESCRIBED UNDER
SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

~~3. NOT MORE THAN 49% OF THE FINES DISTRIBUTED TO
THE STATE HIGHWAY ADMINISTRATION UNDER SUBSUBPARAGRAPH 1 OF THIS
SUBPARAGRAPH MAY BE USED TO RECOVER THE COST OF IMPLEMENTING AND
ADMINISTERING THE SPEED MONITORING SYSTEMS ON INTERSTATE 695 AND
INTERSTATE 83 IN BALTIMORE COUNTY.~~

~~10-311.~~

~~(b) A recorded image of a motor vehicle produced by a speed monitoring system
in accordance with § 21-809 [or], § 21-810, OR § 21-811 of the Transportation Article is
admissible in a proceeding concerning a civil citation issued under that section for a
violation of Title 21, Subtitle 8 of the Transportation Article without authentication.~~

Article – Transportation

~~21-811.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.~~

~~(2) (i) “OWNER” MEANS THE REGISTERED OWNER OF A MOTOR
VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR
LONGER.~~

~~(ii) “OWNER” DOES NOT INCLUDE:~~

~~1. A MOTOR VEHICLE RENTAL OR LEASING COMPANY;~~
~~OR~~

~~2. A HOLDER OF A SPECIAL REGISTRATION PLATE
ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.~~

~~(3) "RECORDED IMAGE" MEANS AN IMAGE RECORDED BY A SPEED
MONITORING SYSTEM;~~

~~(I) ON:~~

~~1. A PHOTOGRAPH;~~

~~2. A MICROPHOTOGRAPH;~~

~~3. AN ELECTRONIC IMAGE;~~

~~4. VIDEOTAPE; OR~~

~~5. ANY OTHER MEDIUM; AND~~

~~(II) SHOWING:~~

~~1. THE REAR OF A MOTOR VEHICLE;~~

~~2. AT LEAST TWO TIME-STAMPED IMAGES OF THE
MOTOR VEHICLE THAT INCLUDE THE SAME STATIONARY OBJECT NEAR THE MOTOR
VEHICLE; AND~~

~~3. ON AT LEAST ONE IMAGE OR PORTION OF TAPE, A
CLEAR AND LEGIBLE IDENTIFICATION OF THE ENTIRE REGISTRATION PLATE
NUMBER OF THE MOTOR VEHICLE.~~

~~(4) "SPEED MONITORING SYSTEM" MEANS A DEVICE HAVING ONE OR
MORE MOTOR VEHICLE SENSORS CONNECTED TO A CAMERA SYSTEM CAPABLE OF
PRODUCING RECORDED IMAGES OF MOTOR VEHICLES.~~

~~(5) "SPEED MONITORING SYSTEM OPERATOR" MEANS AN INDIVIDUAL
WHO HAS BEEN TRAINED AND CERTIFIED TO OPERATE A SPEED MONITORING
SYSTEM AND WHO IS:~~

~~(I) A POLICE OFFICER OF THE DEPARTMENT OF STATE
POLICE;~~

~~(H) A REPRESENTATIVE OF THE DEPARTMENT OF STATE
POLICE; OR~~

~~(HH) A STATE HIGHWAY ADMINISTRATION CONTRACTOR.~~

~~(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
STATE HIGHWAY ADMINISTRATION MAY PLACE NOT MORE THAN THREE SPEED
MONITORING SYSTEMS IN EACH DIRECTION THAT MEET THE REQUIREMENTS OF
THIS SECTION TO RECORD THE IMAGES OF MOTOR VEHICLES TRAVELING ON
INTERSTATE 695 IN BALTIMORE COUNTY.~~

~~(H) NOT MORE THAN FOUR TWO SPEED MONITORING SYSTEMS
IN EACH DIRECTION MAY BE OPERATED IN OPERATION AT THE SAME TIME ON A
HIGHWAY SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AT LOCATIONS
IDENTIFIED BY THE STATE HIGHWAY ADMINISTRATION, THE MARYLAND STATE
POLICE, OR THE BALTIMORE COUNTY POLICE DEPARTMENT AS BEING AT HIGH
RISK FOR MOTOR VEHICLE CRASHES THAT RESULT IN SERIOUS BODILY INJURY OR
DEATH.~~

~~(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
STATE HIGHWAY ADMINISTRATION MAY PLACE NOT MORE THAN TWO SPEED
MONITORING SYSTEMS IN EACH DIRECTION THAT MEET THE REQUIREMENTS OF
THIS SECTION TO RECORD THE IMAGES OF MOTOR VEHICLES TRAVELING ON
INTERSTATE 83 IN BALTIMORE COUNTY.~~

~~(H) NOT MORE THAN THREE ONE SPEED MONITORING SYSTEMS
SYSTEM IN EACH DIRECTION MAY BE OPERATED IN OPERATION AT THE SAME TIME
ON A HIGHWAY SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH AT
LOCATIONS IDENTIFIED BY THE STATE HIGHWAY ADMINISTRATION, THE
MARYLAND STATE POLICE, OR THE BALTIMORE COUNTY POLICE DEPARTMENT AS
BEING AT HIGH RISK FOR MOTOR VEHICLE CRASHES THAT RESULT IN SERIOUS
BODILY INJURY OR DEATH.~~

~~(3) (I) A SPEED MONITORING SYSTEM SPECIFIED IN PARAGRAPH
(1) OR (2) OF THIS SUBSECTION MAY BE USED ONLY:~~

~~(I) WHEN BEING OPERATED BY A SPEED MONITORING SYSTEM
OPERATOR; AND~~

~~(H) 1. IF ALL SPEED LIMIT SIGNS APPROACHING AND
WITHIN THE SEGMENT OF HIGHWAY ON WHICH THE SPEED MONITORING SYSTEM IS
LOCATED INCLUDE SIGNS THAT:~~

~~A. ARE IN ACCORDANCE WITH THE MARYLAND MANUAL
ON UNIFORM TRAFFIC CONTROL DEVICES; AND~~

~~B. INDICATE THAT A SPEED MONITORING SYSTEM IS IN
USE; AND~~

~~2. IF THE STATE HIGHWAY ADMINISTRATION ENSURES
THAT EACH SIGN THAT INDICATES THAT A SPEED MONITORING SYSTEM IS IN USE IS
PROXIMATE TO A DEVICE THAT DISPLAYS A REAL TIME POSTING OF THE SPEED AT
WHICH A DRIVER IS TRAVELING. ONLY IF, IN ACCORDANCE WITH THE MARYLAND
MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, A CONSPICUOUS ROAD SIGN IS
PLACED AT A REASONABLE DISTANCE CONSISTENT WITH NATIONAL GUIDELINES
BEFORE THE SPEED MONITORING SYSTEM ALERTING DRIVERS THAT A SPEED
MONITORING SYSTEM MAY BE IN OPERATION.~~

~~(H) A SPEED MONITORING SYSTEM OPERATOR NEED NOT BE
PRESENT IN PERSON OR REMOTELY AT THE HIGHWAY CORRIDOR WHERE A SPEED
MONITORING SYSTEM IS IN USE.~~

~~(4) (I) A SPEED MONITORING SYSTEM OPERATED ON INTERSTATE
695 IN BALTIMORE COUNTY MAY BE USED ONLY TO RECORD THE IMAGES OF
VEHICLES THAT ARE TRAVELING AT SPEEDS AT LEAST 16 12 MILES PER HOUR
ABOVE THE POSTED SPEED LIMIT.~~

~~(H) A SPEED MONITORING SYSTEM OPERATED ON INTERSTATE
83 IN BALTIMORE COUNTY MAY BE USED ONLY TO RECORD THE IMAGES OF
VEHICLES THAT ARE TRAVELING AT SPEEDS AT LEAST 12 MILES PER HOUR ABOVE
THE POSTED SPEED LIMIT.~~

~~(5) (I) A SPEED MONITORING SYSTEM OPERATOR SHALL
COMPLETE TRAINING BY THE MANUFACTURER OF THE SPEED MONITORING SYSTEM
IN THE PROCEDURES FOR SETTING UP, TESTING, AND OPERATING THE SPEED
MONITORING SYSTEM.~~

~~(H) ON COMPLETION OF THE TRAINING, THE MANUFACTURER
SHALL ISSUE A SIGNED CERTIFICATE TO THE SPEED MONITORING SYSTEM
OPERATOR.~~

~~(HH) THE CERTIFICATE OF TRAINING SHALL BE ADMITTED AS
EVIDENCE IN ANY COURT PROCEEDING FOR A VIOLATION OF THIS SECTION.~~

~~(6) A SPEED MONITORING SYSTEM OPERATOR SHALL FILL OUT AND
SIGN A DAILY SET-UP LOG FOR A SPEED MONITORING SYSTEM THAT:~~

~~(I) STATES THE DATE AND TIME WHEN AND THE LOCATION WHERE THE SYSTEM WAS SET UP;~~

~~(II) STATES THAT THE SPEED MONITORING SYSTEM OPERATOR SUCCESSFULLY PERFORMED, AND THE DEVICE PASSED, THE MANUFACTURER SPECIFIED SELF TESTS OF THE SPEED MONITORING SYSTEM BEFORE PRODUCING A RECORDED IMAGE;~~

~~(III) SHALL BE KEPT ON FILE; AND~~

~~(IV) SHALL BE ADMITTED AS EVIDENCE IN ANY COURT PROCEEDING FOR A VIOLATION OF THIS SECTION.~~

~~(7) (I) A SPEED MONITORING SYSTEM SHALL UNDERGO AN ANNUAL CALIBRATION CHECK PERFORMED BY AN INDEPENDENT CALIBRATION LABORATORY.~~

~~(II) THE INDEPENDENT CALIBRATION LABORATORY SHALL ISSUE A SIGNED CERTIFICATE OF CALIBRATION AFTER THE ANNUAL CALIBRATION CHECK THAT:~~

~~1. SHALL BE KEPT ON FILE; AND~~

~~2. SHALL BE ADMITTED AS EVIDENCE IN ANY COURT PROCEEDING FOR A VIOLATION OF THIS SECTION.~~

~~(8) THE PROCUREMENT OF A SPEED MONITORING SYSTEM UNDER THIS SECTION SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 13, SUBTITLE 1 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OR, IN ACCORDANCE WITH SUBSECTION (F)(4) OF THIS SECTION, THE DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF AN IMAGE OF THE MOTOR VEHICLE IS RECORDED BY A SPEED MONITORING SYSTEM IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION WHILE BEING OPERATED IN VIOLATION OF THIS SUBTITLE.~~

~~(2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$40.~~

~~(3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL:~~

~~(I) PRESCRIBE A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION (D)(1) OF THIS SECTION AND § 7-302 OF THE COURTS ARTICLE; AND~~

~~(H) INDICATE ON THE CITATION THE AMOUNT OF THE CIVIL PENALTY TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY WITHOUT APPEARING IN DISTRICT COURT.~~

~~(D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION, THE DEPARTMENT OF STATE POLICE OR A CONTRACTOR OF THE DEPARTMENT OF STATE POLICE SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (C) OF THIS SECTION A CITATION THAT SHALL INCLUDE:~~

~~(I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE VEHICLE;~~

~~(II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;~~

~~(III) THE VIOLATION CHARGED;~~

~~(IV) THE LOCATION WHERE THE VIOLATION OCCURRED;~~

~~(V) THE DATE AND TIME OF THE VIOLATION;~~

~~(VI) AT LEAST ONE RECORDED IMAGE OF THE VEHICLE WITH A DATA BAR IMPRINTED ON EACH IMAGE THAT INCLUDES THE SPEED OF THE VEHICLE AND THE DATE AND TIME THE IMAGE WAS RECORDED;~~

~~(VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE BY WHICH THE CIVIL PENALTY SHOULD BE PAID;~~

~~(VIII) A SIGNED STATEMENT BY A POLICE OFFICER EMPLOYED BY THE DEPARTMENT OF STATE POLICE OR A CONTRACTOR OF THE DEPARTMENT OF STATE POLICE THAT, BASED ON INSPECTION OF RECORDED IMAGES, THE MOTOR VEHICLE WAS BEING OPERATED IN VIOLATION OF THIS SUBTITLE;~~

~~(IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF A VIOLATION OF THIS SUBTITLE;~~

~~(X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND~~

~~(XI) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST LIABILITY IN A TIMELY MANNER;~~

~~1. IS AN ADMISSION OF LIABILITY;~~

~~2. MAY RESULT IN THE REFUSAL TO REGISTER THE
MOTOR VEHICLE; AND~~

~~3. MAY RESULT IN THE SUSPENSION OF THE MOTOR
VEHICLE REGISTRATION.~~

~~(2) THE DEPARTMENT OF STATE POLICE SHALL MAIL A WARNING
NOTICE INSTEAD OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (C) OF
THIS SECTION DURING THE FIRST 90 DAYS THAT THE SPEED MONITORING SYSTEM
IS IN OPERATION.~~

~~(3) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION,
THE DEPARTMENT OF STATE POLICE MAY NOT MAIL A CITATION TO A PERSON WHO
IS NOT AN OWNER.~~

~~(4) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, A
CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NOT LATER THAN 2
WEEKS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN THE
STATE, AND NOT LATER THAN 30 DAYS AFTER THE ALLEGED VIOLATION IF THE
VEHICLE IS REGISTERED IN ANOTHER STATE.~~

~~(5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
THIS SUBSECTION MAY:~~

~~(I) PAY THE CIVIL PENALTY IN ACCORDANCE WITH
INSTRUCTIONS ON THE CITATION; OR~~

~~(II) ELECT TO STAND TRIAL IN THE DISTRICT COURT FOR THE
ALLEGED VIOLATION.~~

~~(E) (1) A CERTIFICATE ALLEGING THAT THE VIOLATION OF THIS
SUBTITLE OCCURRED AND THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS
SECTION HAVE BEEN SATISFIED, SWORN TO, OR AFFIRMED BY AN OFFICER OF THE
DEPARTMENT OF STATE POLICE, BASED ON INSPECTION OF RECORDED IMAGES
PRODUCED BY A SPEED MONITORING SYSTEM, SHALL BE EVIDENCE OF THE FACTS
CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSIBLE IN A PROCEEDING
ALLEGING A VIOLATION UNDER THIS SECTION WITHOUT THE PRESENCE OR
TESTIMONY OF THE SPEED MONITORING SYSTEM OPERATOR WHO PERFORMED THE
REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(2) IF A PERSON WHO RECEIVED A CITATION UNDER SUBSECTION (D) OF THIS SECTION DESIRES A SPEED MONITORING SYSTEM OPERATOR TO BE PRESENT AND TESTIFY AT TRIAL, THE PERSON SHALL NOTIFY THE COURT AND THE DEPARTMENT OF STATE POLICE IN WRITING NOT LATER THAN 20 DAYS BEFORE TRIAL.~~

~~(3) ADJUDICATION OF LIABILITY SHALL BE BASED ON A PREPONDERANCE OF EVIDENCE.~~

~~(F) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:~~

~~(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES OF THE MOTOR VEHICLE WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE VEHICLE OWNER AT THE TIME OF THE VIOLATION;~~

~~(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND~~

~~(III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT DEEMS PERTINENT.~~

~~(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION, THE OWNER SHALL SUBMIT PROOF THAT A POLICE REPORT REGARDING THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY MANNER.~~

~~(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:~~

~~(I) STATES THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND~~

~~(II) INCLUDES ANY OTHER CORROBORATING EVIDENCE.~~

~~(4) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (3) OF THIS SUBSECTION~~

~~IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE VIOLATION, THE CLERK OF THE COURT MAY PROVIDE TO THE DEPARTMENT OF STATE POLICE A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.~~

~~(H) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF STATE POLICE MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (D) OF THIS SECTION TO THE PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.~~

~~(HH) ANY CITATION ISSUED UNDER SUBPARAGRAPH (H) OF THIS PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE EVIDENCE FROM THE DISTRICT COURT.~~

~~(G) IF A PERSON LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL PENALTY OR CONTEST THE VIOLATION, THE ADMINISTRATION MAY:~~

~~(1) REFUSE TO REGISTER OR REREGISTER THE REGISTRATION OF THE MOTOR VEHICLE CITED FOR THE VIOLATION; OR~~

~~(2) SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE CITED FOR THE VIOLATION.~~

~~(H) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS SECTION:~~

~~(1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING POINTS UNDER § 16-402 OF THIS ARTICLE;~~

~~(2) MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE VEHICLE;~~

~~(3) MAY BE TREATED AS A PARKING VIOLATION FOR PURPOSES OF § 26-305 OF THIS ARTICLE; AND~~

~~(4) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE.~~

~~(I) IN CONSULTATION WITH THE DEPARTMENT OF STATE POLICE, THE CHIEF JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE OF CITATIONS, THE TRIAL OF CIVIL VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES UNDER THIS SECTION.~~

~~(J) (1) THE DEPARTMENT OF STATE POLICE OR A CONTRACTOR DESIGNATED BY THE DEPARTMENT OF STATE POLICE SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS SECTION IN COORDINATION WITH THE DISTRICT COURT.~~

~~(2) IF A CONTRACTOR PROVIDES, DEPLOYS, OR OPERATES A SPEED MONITORING SYSTEM FOR THE DEPARTMENT OF STATE POLICE OR THE STATE HIGHWAY ADMINISTRATION, THE CONTRACTOR'S FEE MAY NOT BE CONTINGENT ON THE NUMBER OF CITATIONS ISSUED OR PAID.~~

~~(K) THE DEPARTMENT OF STATE POLICE AND THE STATE HIGHWAY ADMINISTRATION JOINTLY SHALL ADOPT REGULATIONS ESTABLISHING STANDARDS AND PROCEDURES FOR SPEED MONITORING SYSTEMS AUTHORIZED UNDER THIS SECTION.~~

21-809.

(a) (1) In this section the following words have the meanings indicated.

(2) "Agency" means:

(i) A law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; [or]

(ii) For a municipal corporation that does not maintain a police force, an agency established or designated by the municipal corporation to implement this subtitle using speed monitoring systems in accordance with this section; OR

(III) FOR SPEED MONITORING SYSTEMS PLACED AND USED ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN BALTIMORE COUNTY, THE STATE HIGHWAY ADMINISTRATION.

(3) (i) "Erroneous violation" means a potential violation submitted by a speed monitoring system contractor for review by an agency that is apparently inaccurate based on a technical variable that is under the control of the contractor.

(ii) "Erroneous violation" includes a potential violation based on:

1. A recorded image of a registration plate that does not match the registration plate issued for the motor vehicle in the recorded image;

2. A recorded image that shows a stopped vehicle or no progression;

1 3. An incorrectly measured speed for a motor vehicle;

2 4. A measured speed of a motor vehicle that is below the
3 threshold speed that would subject the owner to a civil citation under this section;

4 5. A recorded image that was taken outside of the hours and
5 days that speed monitoring systems are authorized for use in school zones; and

6 6. A recorded image that was taken by a speed monitoring
7 system with an expired calibration certificate.

8 (4) (i) “Owner” means the registered owner of a motor vehicle or a lessee
9 of a motor vehicle under a lease of 6 months or more.

10 (ii) “Owner” does not include:

11 1. A motor vehicle rental or leasing company; or

12 2. A holder of a special registration plate issued under Title
13 13, Subtitle 9, Part III of this article.

14 (5) “Program administrator” means an employee or a representative of the
15 local jurisdiction **OR THE STATE HIGHWAY ADMINISTRATION** designated by the local
16 jurisdiction **OR THE STATE HIGHWAY ADMINISTRATION** to oversee a contract with a
17 speed monitoring system contractor.

18 (6) “Recorded image” means an image recorded by a speed monitoring
19 system:

20 (i) On:

21 1. A photograph;

22 2. A microphotograph;

23 3. An electronic image;

24 4. Videotape; or

25 5. Any other medium; and

26 (ii) Showing:

27 1. The rear of a motor vehicle;

28 2. At least two time-stamped images of the motor vehicle that
29 include the same stationary object near the motor vehicle; and

1 3. On at least one image or portion of tape, a clear and legible
2 identification of the entire registration plate number of the motor vehicle.

3 (7) "School zone" means a designated roadway segment within up to a
4 half-mile radius of a school for any of grades kindergarten through grade 12 where
5 school-related activity occurs, including:

6 (i) Travel by students to or from school on foot or by bicycle; or

7 (ii) The dropping off or picking up of students by school buses or other
8 vehicles.

9 (8) "Speed monitoring system" means a device with one or more motor
10 vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12
11 miles per hour above the posted speed limit.

12 (9) "Speed monitoring system operator" means a representative of an agency
13 or contractor that operates a speed monitoring system.

14 (b) (1) (i) 1. A speed monitoring system may not be used [in] BY a local
15 jurisdiction under this section unless its use is authorized by the governing body of the local
16 jurisdiction by local law enacted after reasonable notice and a public hearing.

17 **2. THE STATE HIGHWAY ADMINISTRATION MAY USE**
18 **SPEED MONITORING SYSTEMS ON INTERSTATE 83 IN BALTIMORE COUNTY AND**
19 **INTERSTATE 695 IN BALTIMORE COUNTY IN ACCORDANCE WITH THIS SECTION.**

20 (ii) Before a county may use a speed monitoring system on a State
21 highway at a location within a municipal corporation, the county shall:

22 1. Obtain the approval of the State Highway Administration;

23 2. Notify the municipal corporation of the State Highway
24 Administration's approval of the use of a speed monitoring system at that location; and

25 3. Grant the municipal corporation 60 days from the date of
26 the county's notice to the municipal corporation to enact an ordinance authorizing the
27 municipal corporation instead of the county to use a speed monitoring system at that
28 location.

29 (iii) 1. This subparagraph applies only in Prince George's County.

30 2. In the county, a municipal corporation may implement and
31 use a speed monitoring system consistent with the requirements of this subsection on a
32 county highway at a location within its corporate limits if the municipal corporation:

1 A. Submits to the county a plan describing the boundary of
2 the applicable school zone and the proposed location of the speed monitoring system; and

3 B. Requests and receives permission from the county to use the
4 speed monitoring system at the proposed location.

5 3. If the county fails to respond to the request within 60 days,
6 the municipal corporation may implement and use the speed monitoring system as described
7 in the plan submission.

8 4. The county may not:

9 A. Unreasonably deny a request under this subparagraph; or

10 B. Place exactions, fees, or unreasonable restrictions on the
11 implementation and use of a speed monitoring system under this subparagraph.

12 5. The county shall state in writing the reasons for any denial
13 of a request under this subparagraph.

14 6. A municipal corporation may contest in the circuit court a
15 county denial of a request under this subparagraph.

16 (iv) In Prince George's County, if a municipal corporation has
17 established a school zone that is within one-quarter mile of a school zone established in
18 another municipal corporation, the municipal corporation may not implement or use a speed
19 monitoring system in that school zone unless it has obtained the approval of the other
20 municipal corporation.

21 (v) An ordinance or resolution adopted by the governing body of a
22 local jurisdiction under this paragraph shall provide that, if the local jurisdiction moves or
23 places a mobile or stationary speed monitoring system to or at a location where a speed
24 monitoring system had not previously been moved or placed, the local jurisdiction may not
25 issue a citation for a violation recorded by that speed monitoring system.

26 1. Until signage is installed in accordance with
27 subparagraph (viii) of this paragraph; and

28 2. For at least the first 15 calendar days after the signage is
29 installed.

30 (vi) This section applies to a violation of this subtitle recorded by a
31 speed monitoring system that meets the requirements of this subsection and has been placed:

32 1. In Anne Arundel County, Montgomery County, or Prince
33 George's County, on a highway in a residential district, as defined in § 21-101 of this title,

with a maximum posted speed limit of 35 miles per hour, which speed limit was established using generally accepted traffic engineering practices;

2. In a school zone with a posted speed limit of at least 20 miles per hour;

3. In Prince George's County:

A. Subject to subparagraph (vii)1 of this paragraph, on Maryland Route 210 (Indian Head Highway); or

B. On that part of a highway located within the grounds of an institution of higher education as defined in § 10-101(h) of the Education Article, or within one-half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education;

4. Subject to subparagraph (vii)2 of this paragraph, on Interstate 83 in Baltimore City;

5. In Anne Arundel County, on Maryland Route 175 (Jessup Road) between the Maryland Route 175/295 interchange and the Anne Arundel County-Howard County line; [or]

6. Subject to subparagraph (vii)3 of this paragraph, at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County;
OR

7. SUBJECT TO SUBPARAGRAPH (VII)4 OF THIS PARAGRAPH, BY THE STATE HIGHWAY ADMINISTRATION ON INTERSTATE 83 IN BALTIMORE COUNTY OR ON INTERSTATE 695 IN BALTIMORE COUNTY.

(vii) 1. Not more than six mobile or stationary speed monitoring systems may be placed on Maryland Route 210 (Indian Head Highway).

2. Not more than two speed monitoring systems may be placed on Interstate 83 in Baltimore City.

3. Not more than one speed monitoring system may be placed at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot County.

4. THE STATE HIGHWAY ADMINISTRATION:

1 A. MAY PLACE AND USE A SPEED MONITORING SYSTEM
2 ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN BALTIMORE
3 COUNTY UNDER THIS SECTION ONLY AT A LOCATION IT IDENTIFIES AS BEING AT
4 HIGH RISK FOR MOTOR VEHICLE CRASHES THAT RESULT IN DEATH OR SERIOUS
5 BODILY INJURY;

6 B. I. MAY NOT PLACE OR USE MORE THAN THREE
7 SPEED MONITORING SYSTEMS IN EACH DIRECTION ON INTERSTATE 83 IN
8 BALTIMORE COUNTY; AND

9 II. MAY NOT PLACE OR USE MORE THAN FOUR SPEED
10 MONITORING SYSTEMS IN EACH DIRECTION ON INTERSTATE 695 IN BALTIMORE
11 COUNTY; AND

12 C. MAY NOT PLACE OR USE A SPEED MONITORING
13 SYSTEM AUTHORIZED UNDER THIS SECTION WITHIN 5 MILES OF ANOTHER SPEED
14 MONITORING SYSTEM AUTHORIZED UNDER THIS SECTION OPERATING IN THE SAME
15 DIRECTION.

16 (viii) Before activating a speed monitoring system, the local jurisdiction
17 OR THE STATE HIGHWAY ADMINISTRATION, AS APPROPRIATE, shall:

18 1. Publish notice of the location of the speed monitoring
19 system on its website and in a newspaper of general circulation in the jurisdiction;

20 2. Ensure that each sign that designates a school zone is
21 proximate to a sign that:

22 A. Indicates that speed monitoring systems are in use in the
23 school zone; and

24 B. Is in accordance with the manual for and the specifications
25 for a uniform system of traffic control devices adopted by the State Highway Administration
26 under § 25–104 of this article;

27 3. With regard to a speed monitoring system established on
28 Maryland Route 210 (Indian Head Highway) in Prince George's County, based on proximity
29 to an institution of higher education under subparagraph (vi)3 of this paragraph, on
30 Interstate 83 in Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup
31 Road) between the Maryland Route 175/295 interchange and the Anne Arundel
32 County–Howard County line, [or] at the intersection of Maryland Route 333 (Oxford Road)
33 and Bonfield Avenue in Talbot County, OR ON INTERSTATE 83 IN BALTIMORE COUNTY
34 OR INTERSTATE 695 IN BALTIMORE COUNTY, ensure that all speed limit signs
35 approaching and within the segment of highway on which the speed monitoring system is
36 located include signs that:

1 A. Are in accordance with the manual and specifications for
2 a uniform system of traffic control devices adopted by the State Highway Administration
3 under § 25–104 of this article; and

4 B. Indicate that a speed monitoring system is in use; and

5 4. With regard to a speed monitoring system placed on
6 Maryland Route 210 (Indian Head Highway) in Prince George's County, Interstate 83 in
7 Baltimore City, in Anne Arundel County on Maryland Route 175 (Jessup Road) between the
8 Maryland Route 175/295 interchange and the Anne Arundel County–Howard County line,
9 [or] at the intersection of Maryland Route 333 (Oxford Road) and Bonfield Avenue in Talbot
10 County, **OR ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN**
11 **BALTIMORE COUNTY**, ensure that each sign that indicates that a speed monitoring system
12 is in use is proximate to a device that displays a real-time posting of the speed at which a
13 driver is traveling.

14 (ix) A speed monitoring system in a school zone may operate only
15 Monday through Friday between 6:00 a.m. and 8:00 p.m.

16 (x) 1. A local jurisdiction that authorizes a program of speed
17 monitoring systems **OR THE STATE HIGHWAY ADMINISTRATION, AS APPROPRIATE,**
18 shall designate an official or employee to investigate and respond to questions or concerns
19 about the local jurisdiction's **OR THE STATE HIGHWAY ADMINISTRATION'S** speed
20 monitoring system program.

21 2. A. The [local] designee shall review a citation
22 generated by a speed monitoring system if the person who received the citation requests
23 review before the deadline for contesting liability under this section.

24 B. If the [local] designee determines that the citation is an
25 erroneous violation, the [local] designee shall void the citation.

26 C. If the [local] designee determines that a person did not
27 receive notice of a citation issued under this section due to an administrative error, the
28 [local] designee may resend the citation in accordance with subsection (d) of this section or
29 void the citation.

30 D. A [local] designee that takes any action described under
31 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the
32 action for the purpose of rescinding any administrative penalties imposed under subsection
33 (g) of this section.

34 E. A [local] designee may not determine that a citation is an
35 erroneous violation based solely on the dismissal of the citation by a court.

1 3. A [local] designee may not be employed by a speed
2 monitoring system contractor or have been involved in any review of a speed monitoring
3 system citation, other than review of a citation under this subparagraph.

4 4. On receipt of a written question or concern from a person,
5 the [local] designee shall provide a written answer or response to the person within a
6 reasonable time.

7 5. A local jurisdiction **AND THE STATE HIGHWAY**
8 **ADMINISTRATION, AS APPROPRIATE,** shall make any written questions or concerns
9 received under this subparagraph and any subsequent written answers or responses
10 available for public inspection.

11 (xi) A local jurisdiction may not use a speed monitoring system to
12 enforce speed limits on any portion of a highway for which the speed limit has been decreased
13 without performing an engineering and traffic investigation.

14 (2) (i) A speed monitoring system operator shall complete training by a
15 manufacturer of speed monitoring systems in the procedures for setting up and operating
16 the speed monitoring system.

17 (ii) The manufacturer shall issue a signed certificate to the speed
18 monitoring system operator on completion of the training.

19 (iii) The certificate of training shall be admitted as evidence in any
20 court proceeding for a violation of this section.

21 (3) A speed monitoring system operator shall fill out and sign a daily
22 set-up log for a speed monitoring system that:

23 (i) States that the speed monitoring system operator successfully
24 performed or reviewed and evaluated the manufacturer-specified daily self-test of the speed
25 monitoring system prior to producing a recorded image;

26 (ii) Shall be kept on file; and

27 (iii) Shall be admitted as evidence in any court proceeding for a
28 violation of this section.

29 (4) (i) A speed monitoring system shall undergo an annual calibration
30 check performed by an independent calibration laboratory that is:

31 1. Selected by the local jurisdiction **OR THE STATE**
32 **HIGHWAY ADMINISTRATION, AS APPROPRIATE;** and

1 2. Unaffiliated with the manufacturer of the speed
2 monitoring system.

3 (ii) The independent calibration laboratory shall issue a signed
4 certificate of calibration after the annual calibration check that:

5 1. Shall be kept on file; and

6 2. Shall be admitted as evidence in any court proceeding for
7 a violation of this section.

8 (5) If a local jurisdiction **OR THE STATE HIGHWAY ADMINISTRATION**
9 authorizes a program of speed monitoring systems under this section:

10 (i) The local jurisdiction **OR THE STATE HIGHWAY**
11 **ADMINISTRATION** shall designate a program administrator who may not be an employee
12 or representative of the speed monitoring system contractor; and

13 (ii) The contract with the speed monitoring system contractor shall
14 include the following provisions:

15 1. For potential violations submitted by a contractor for
16 review by an agency, if more than 5% of the violations in a calendar year are erroneous
17 violations, then the contractor shall be subject to liquidated damages for each erroneous
18 violation equal to at least 50% of the fine amount for the erroneous violation, plus any
19 reimbursements paid by the local jurisdiction **OR THE STATE HIGHWAY**
20 **ADMINISTRATION**; and

21 2. The local jurisdiction **OR THE STATE HIGHWAY**
22 **ADMINISTRATION** may cancel a contract with a contractor if the contractor violates the
23 contract by submitting erroneous violations to the agency that exceed a threshold specified
24 in the contract or violates the law in implementing the contract.

25 (6) (i) The Maryland Police Training and Standards Commission, in
26 consultation with the State Highway Administration and other interested stakeholders,
27 shall develop a training program concerning the oversight and administration of a speed
28 monitoring program by a local jurisdiction **AND THE STATE HIGHWAY**
29 **ADMINISTRATION**, including a curriculum of best practices in the State.

30 (ii) 1. A program administrator shall participate in the training
31 program established under this paragraph before a local jurisdiction **OR THE STATE**
32 **HIGHWAY ADMINISTRATION** initially implements a new speed monitoring program and
33 subsequently at least once every 2 years.

1 2. A program administrator for a program in existence on
2 June 1, 2014, shall initially participate in the training program on or before December 31,
3 2014, and subsequently at least once every 2 years.

4 3. If a local jurisdiction **OR THE STATE HIGHWAY**
5 **ADMINISTRATION** designates a new program administrator, the new program
6 administrator shall participate in the next available training program.

7 (c) (1) Unless the driver of the motor vehicle received a citation from a police
8 officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this
9 section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is
10 recorded by a speed monitoring system while being operated in violation of this subtitle.

11 (2) A civil penalty under this subsection may not exceed \$40.

12 (3) For purposes of this section, the District Court shall prescribe:

13 (i) A uniform citation form consistent with subsection (d)(1) of this
14 section and § 7-302 of the Courts Article; and

15 (ii) A civil penalty, which shall be indicated on the citation, to be paid
16 by persons who choose to prepay the civil penalty without appearing in District Court.

17 (d) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection,
18 an agency shall mail to an owner liable under subsection (c) of this section a citation that
19 shall include:

20 (i) The name and address of the registered owner of the vehicle;

21 (ii) The registration number of the motor vehicle involved in the
22 violation;

23 (iii) The violation charged;

24 (iv) The location where the violation occurred;

25 (v) The date and time of the violation;

26 (vi) A copy of the recorded image;

27 (vii) The amount of the civil penalty imposed and the date by which
28 the civil penalty should be paid;

29 (viii) A signed statement by a duly authorized law enforcement officer
30 employed by or under contract with an agency that, based on inspection of recorded images,
31 the motor vehicle was being operated in violation of this subtitle;

(ix) A statement that recorded images are evidence of a violation of this subtitle;

(x) Information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability in a timely manner:

1. Is an admission of liability;

2. May result in the refusal by the Administration to register the motor vehicle; and

3. May result in the suspension of the motor vehicle registration.

(2) (i) Except as provided in [subparagraph] SUBPARAGRAPHS (ii) AND (III) of this paragraph, an agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.

(ii) With regard to a speed monitoring system established on Interstate 83 in Baltimore City, an agency shall mail a warning notice instead of a citation for a violation recorded by the speed monitoring system during the first 90 days that the speed monitoring system is in operation.

(III) WITH REGARD TO A SPEED MONITORING SYSTEM ESTABLISHED ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN BALTIMORE COUNTY, THE STATE HIGHWAY ADMINISTRATION SHALL MAIL A WARNING NOTICE INSTEAD OF A CITATION FOR A VIOLATION RECORDED BY THE SPEED MONITORING SYSTEM DURING THE FIRST 30 DAYS THAT THE SPEED MONITORING SYSTEM IS IN OPERATION.

(3) Except as provided in subsection (f)(4) of this section, an agency may not mail a citation to a person who is not an owner.

(4) Except as provided in subsections (b)(1)(x) and (f)(4) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle is registered in another state.

(5) A person who receives a citation under paragraph (1) of this subsection may:

1 (i) Pay the civil penalty, in accordance with instructions on the
2 citation, directly to the political subdivision **OR THE DISTRICT COURT, AS APPROPRIATE;**
3 or

4 (ii) Elect to stand trial in the District Court for the alleged violation.

5 (6) To mail the citation or warning notice, an agency shall use:

6 (i) The current mailing address on file with the Administration; or

7 (ii) If a mailing address is unavailable, the current residential
8 address on file with the Administration.

9 (e) (1) A certificate alleging that the violation of this subtitle occurred and the
10 requirements under subsection (b) of this section have been satisfied, sworn to, or affirmed
11 by a duly authorized law enforcement officer employed by or under contract with an agency,
12 based on inspection of recorded images produced by a speed monitoring system, shall be
13 evidence of the facts contained in the certificate and shall be admissible in a proceeding
14 alleging a violation under this section without the presence or testimony of the speed
15 monitoring system operator who performed the requirements under subsection (b) of this
16 section.

17 (2) If a person who received a citation under subsection (d) of this section
18 desires the speed monitoring system operator to be present and testify at trial, the person
19 shall notify the court and the State in writing no later than 20 days before trial.

20 (3) Adjudication of liability shall be based on a preponderance of evidence.

21 (f) (1) The District Court may consider in defense of a violation:

22 (i) Subject to paragraph (2) of this subsection, that the motor vehicle
23 or the registration plates of the motor vehicle were stolen before the violation occurred and
24 were not under the control or possession of the owner at the time of the violation;

25 (ii) Subject to paragraph (3) of this subsection, evidence that the
26 person named in the citation was not operating the vehicle at the time of the violation; and

27 (iii) Any other issues and evidence that the District Court deems
28 pertinent.

29 (2) To demonstrate that the motor vehicle or the registration plates were
30 stolen before the violation occurred and were not under the control or possession of the owner
31 at the time of the violation, the owner shall submit proof that a police report regarding the
32 stolen motor vehicle or registration plates was filed in a timely manner.

(3) To satisfy the evidentiary burden under paragraph (1)(ii) of this subsection, the person named in the citation shall provide to the District Court a letter, sworn to or affirmed by the person and mailed by certified mail, return receipt requested, that:

(i) States that the person named in the citation was not operating the vehicle at the time of the violation; and

(ii) Includes any other corroborating evidence.

(4) (i) If the District Court finds that the person named in the citation was not operating the vehicle at the time of the violation or receives evidence under paragraph (3) of this subsection identifying the person driving the vehicle at the time of the violation, the clerk of the court shall provide to the agency issuing the citation a copy of any evidence substantiating who was operating the vehicle at the time of the violation.

(ii) On receipt of substantiating evidence from the District Court under subparagraph (i) of this paragraph, an agency may issue a citation as provided in subsection (d) of this section to the person who the evidence indicates was operating the vehicle at the time of the violation.

(iii) A citation issued under subparagraph (ii) of this paragraph shall be mailed no later than 2 weeks after receipt of the evidence from the District Court.

(g) If a person liable under this section does not pay the civil penalty or contest the violation, the Administration may refuse to register or reregister the motor vehicle cited for the violation.

(h) A violation for which a civil penalty is imposed under this section:

(1) Is not a moving violation for the purpose of assessing points under § 16-402 of this article;

(2) May not be recorded by the Administration on the driving record of the owner or driver of the vehicle;

(3) May be treated as a parking violation for purposes of § 26-305 of this article; and

(4) May not be considered in the provision of motor vehicle insurance coverage.

(i) In consultation with the appropriate local government agencies **AND THE STATE HIGHWAY ADMINISTRATION**, the Chief Judge of the District Court shall adopt procedures for the issuance of citations, the trial of civil violations, and the collection of civil penalties under this section.

1 (i) (1) An agency or an agent or contractor designated by the agency shall
2 administer and process civil citations issued under this section in coordination with the
3 District Court.

4 (2) If a contractor in any manner operates a speed monitoring system or
5 administers or processes citations generated by a speed monitoring system on behalf of a
6 local jurisdiction **OR THE STATE HIGHWAY ADMINISTRATION**, the contractor's fee may
7 not be contingent on a per-ticket basis on the number of citations issued or paid.

8 (k) (1) On or before December 31 of each year, the Maryland Police Training
9 and Standards Commission shall:

10 (i) Compile and make publicly available a report for the previous
11 fiscal year on each speed monitoring system program operated by a local jurisdiction **AND**
12 **THE STATE HIGHWAY ADMINISTRATION** under this section; and

13 (ii) Submit the report to the Governor and, in accordance with §
14 2-1257 of the State Government Article, the General Assembly.

15 (2) The report shall include:

16 (i) The total number of citations issued;

17 (ii) The number of citations issued and the number voided as
18 erroneous violations for each camera;

19 (iii) The gross revenue generated by the program;

20 (iv) The expenditures incurred by the program;

21 (v) The net revenue generated by the program;

22 (vi) The total amount of any payments made to a contractor under the
23 program;

24 (vii) A description of how the net revenue generated by the program
25 was used;

26 (viii) The number of employees of the local jurisdiction **OR THE STATE**
27 **HIGHWAY ADMINISTRATION, AS APPROPRIATE**, involved in the program;

28 (ix) The type of speed monitoring system used by the local jurisdiction
29 **OR THE STATE HIGHWAY ADMINISTRATION;**

(x) The locations at which each speed monitoring system was used in the local jurisdiction OR ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN BALTIMORE COUNTY;

(xi) The activation start and stop dates of each speed monitoring system for each location at which it was used; and

(xii) The number of citations issued by each speed monitoring system at each location.

(3) Each local jurisdiction with a speed monitoring system program AND THE STATE HIGHWAY ADMINISTRATION shall submit the information required under paragraph (2) of this subsection to the Commission by October 31 of each year and assist the Commission in the preparation of the annual report.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

21-809.

(c) (2) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A civil penalty under this subsection may not exceed:

[(i)] 1. If the citation alleges that the driver of the motor vehicle exceeded the speed limit by between 12 and 15, inclusive, miles per hour, \$40;

[(ii)] 2. If the citation alleges that the driver of the motor vehicle exceeded the speed limit by between 16 and 19, inclusive, miles per hour, \$70;

[(iii)] 3. If the citation alleges that the driver of the motor vehicle exceeded the speed limit by between 20 and 29, inclusive, miles per hour, \$120;

[(iv)] 4. If the citation alleges that the driver of the motor vehicle exceeded the speed limit by between 30 and 39, inclusive, miles per hour, \$230; and

[(v)] 5. If the citation alleges that the driver of the motor vehicle exceeded the speed limit by 40 miles per hour or more, \$425.

(II) A CIVIL PENALTY UNDER THIS SUBSECTION FOR A VIOLATION RECORDED ON INTERSTATE 83 IN BALTIMORE COUNTY OR INTERSTATE 695 IN BALTIMORE COUNTY MAY NOT EXCEED \$40.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2025, contingent on the taking effect of Chapter or (S.B. 118 or

H.B. 182) of the Acts of the General Assembly of 2025, and if Chapter _____ or _____ (S.B. 118 or H.B. 182) does not take effect, Section 2 of this Act, with no further action required by the General Assembly, shall be null and void.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That:

(a) On or before June 1, ~~2030~~ 2029, the State Highway Administration shall submit a report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly, on the speed monitoring systems placed on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County in accordance with § ~~21-811~~ 21-809 of the Transportation Article as, as enacted by Section 1 of this Act.

(b) The report required under subsection (a) of this section shall include:

(1) any changes since the implementation of speed monitoring systems under Section 1 of this Act in:

(i) ~~accident~~ crash and fatality rates on Interstate 695 and Interstate 83 in Baltimore County; and

(ii) the number of repeat violations recorded by these speed monitoring systems;

(2) any measurable improvements in driver awareness and compliance with posted speed limits at areas on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County where speed monitoring systems are operated;

(3) any unintended consequences including traffic congestion or an increase in the use of alternative routes;

(4) the gross revenue collected as a result of violations enforced by the speed monitoring systems;

(5) the percentage of the gross revenue collected that has been used to:

(i) ~~to~~ recover the cost of implementing and administering the speed monitoring systems; and

(ii) ~~for public safety purposes, including pedestrian or highway safety programs~~ assist in covering the cost of roadway and safety improvements on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County;

(6) whether revenue collected as a result of violations enforced by the speed monitoring systems has been sufficient to cover the costs specified under paragraph (5)(i) and (ii) of this subsection;

(7) how funds have been used for public safety purposes on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County;

(8) whether revenue collected has been supplemental to, and has not supplanted, existing State and local funds allocated for transportation;

(9) the percentage of issued citations that have been contested;

(10) the percentage of contested citations that were overturned or reduced;

(11) whether citations have consistently been issued within the time frames required under § ~~21-811(d)(4)~~ 21-809(d)(4) of the Transportation Article, as enacted by Section 1 of this Act, and any required maintenance, calibration, and certification checks have been documented and performed as scheduled;

(12) whether there has been any pattern of citation errors or disputes regarding vehicle identification;

(13) whether speed monitoring systems have been consistently maintained and calibrated in accordance with § ~~21-811(b)(7)~~ 21-809(b)(4) of the Transportation Article, as enacted by Section 1 of this Act;

(14) whether the locations that have been identified as being at high risk for motor vehicle crashes that result in serious bodily injury or death have changed since the implementation of the speed monitoring systems;

(15) whether speed monitoring systems have been relocated as a result of any changes under item (14) of this subsection, or any changes in traffic patterns;

(16) whether the speed limit thresholds under § ~~21-811(b)(4)~~ tolerance of 12 miles per hour under § 21-809 of the Transportation Article, as enacted by Section 1 of this Act have effectively influenced driver behavior on Interstate 695 in Baltimore County and Interstate 83 in Baltimore County;

(17) any issues with speed monitoring system visibility, signage, or technical malfunctions;

(18) whether there have been any formal complaints or legal challenges to the implementation of speed monitoring systems under Section 1 of this Act;

(19) any privacy or data security concerns that have arisen from the handling of recorded images or citation data;

(20) any significant delays in processing citations or appeals; and

1 (21) whether any public safety improvements intended to be funded by
2 revenue derived as a result of violations enforced by the speed monitoring systems have
3 been completed on schedule and within budget; and

4 ~~(22) any disparities in the number of citations issued as a result of violations~~
5 ~~enforced by the speed monitoring systems on different communities or demographic groups~~
6 ~~in the State.~~

7 SECTION ~~2. 3.~~ 5. AND BE IT FURTHER ENACTED, That, *except as provided in*
8 *Section 3 of this Act*, this Act shall take effect ~~June~~ October 1, 2025. It shall remain effective
9 for a period of ~~5 years and 1 month~~ 4 years and 9 months and, at the end of June 30, 2030,
10 this Act, with no further action required by the General Assembly, shall be abrogated and
11 of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.